

Beacon College Preparatory Charter School Statement of Appeal

On September 17, 2019 at a special called board meeting for Shelby County Schools, the Shelby County Board of Education voted to deny Beacon College Preparatory Charter School's application for charter.

Beacon College Preparatory Charter School believes that the application for charter was denied due to a stated oversaturation of 203 elementary school seats in the North Region of Memphis (inclusive of Frayser and Raleigh) and of 203 seats in Raleigh, in the proposed neighborhood.¹ As acknowledged by the charter review committee² in scoring and comments, the amended application surpassed the merit criteria in each category earning a "meets or exceeds expectations" rating on every section of the application as outlined by the authorizer and as used for recommendations or denials in all previous charter approvals.

Figure 1 provides Shelby County School's denial decision, with rationale.

Figure 1: Shelby County Schools Denial and Rationale

Denials		SUMMARY OF RECOMMENDATIONS	
Proposed School/ Neighborhood		Rationale	
Beacon College Prep Raleigh	<input type="checkbox"/>	Per SCS Board Policy #1011, Section VI, B. 5 – "the district shall consider whether the establishment of a proposed charter school in a particular geographic location of the LEA is feasible or will create oversaturation in the proposed geographic location." According to the most recent strategic regional analysis, the North Region, inclusive of the Raleigh community has a current student capacity of 5,067 seats in K-5, with 4,390 students. This means that Raleigh is over-saturated by 677 seats.	
<div><div>✓</div><div>TN Charter Application Rubric</div></div> <div><div>✗</div><div>SCS Board Policy #1011</div></div>			

The need for the proposed charter school or the concern with the impact on community seats were never indicated as concerns within the charter review process.

Specifically, 45.8% of children in Raleigh live in poverty³ and 70% of students attending Raleigh's PK- 12 public schools qualified as economically disadvantaged in SY17-18⁴; 29% of Raleigh residents live in poverty⁵ making it one of the 10 poorest neighborhoods in Memphis. Although neighborhood elementary schools have the capacity to serve approximately 200 more students than currently enrolled, the available seats do not offer a high-quality educational experience for students. In SY16-17, approximately 64% of Raleigh elementary school students attended schools failing to reach a "Good" rating.⁶ SY17-18 data shows that the quality of Raleigh elementary schools is worsening with time, with an overwhelming 73.1% of Raleigh elementary school students attending a subpar, "Fair" quality school in SY17-18 and zero Raleigh elementary schools achieving an "excellent" rating.⁷ As evidenced in **Figures 2 and 3**, more than

¹ SCS Office of Charter Schools. 2019 Charter Authorization Recommendations FINAL. September, 2019. PowerPoint Presentation.

² Ibid.

³ https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml?src=bkmk.

⁴ <https://www.tn.gov/education/data/report-card.html>.

⁵ https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml?src=bkmk.

⁶ <http://www.scsk12.org/charter/files/2018/2018%20Shelby%20County%20Schools%20Supplemental%20Information%20for%20Charter%20Applicants.pdf?PID=1356>.

⁷ 2019 Regional Seats Analysis, <http://www.scsk12.org/charter/files/2019/2019-Regional-Seats-Analysis.pdf>.

85% of students attending Raleigh schools in grades three through eight were not proficient on reading and mathematics standards in SY17-18, exceeding the city-wide average of approximately 80%.⁸ T.C.A. § 49-13-102 is clear: charter schools exist in part to improve learning for all students, close the achievement gap between high and low students, and provide options for parents to meet educational needs of students in high priority schools. At the start of SY18-19, Raleigh's elementary school families had four charter options; two are managed by the Achievement School District and one, Granville T. Woods Academy of Innovation, has been a Tennessee Priority School the past two years.

Figure 2: Elementary School SCS Scores and Proficiency Rates⁹

School	SCS Overall Score	ELA	Math	Science	Social Studies
Aspire Coleman	NA (ASD)	12.2%	10.7%	21.8%	5.5%
Brownsville Road Optional School	2.73	17.3%	19.6%	30.0%	5.7%
Egypt Elementary	3.28	23.0%	18.2%	58.9%	30.4%
Granville T. Woods Academy of Innovation ¹⁰	2.45	6.3%	6.3%	31.5%	NA*
Keystone Elementary	2.83	18.8%	22.4%	35.6%	17.3%
Promise Academy - Spring Hill	NA (ASD)	13%	15.7%	NA*	10.4%
Raleigh-Bartlett Meadows Elementary	2.78	17.6%	14.5%	30.3%	7.6%
Scenic Hills Elementary	2.29	11.5%	19.7%	11.7%	NA*
STAR Academy	3.51	24.3%	31.8%	10.8%	19.6%

*Data unavailable due to rate > 95% or <5%.

Figure 3: Middle School SCS Scores and Proficiency Rates¹¹

School	SCS Overall Score	ELA	Math	Science	Social Studies
Aspire Coleman	NA (ASD)	12.2%	10.7%	21.8%	5.5%
Craigmont Middle	2.2	9.9%	7.8%	23.6%	11.4%
Granville T. Woods Academy of Innovation	2.45	6.3%	6.3%	31.5%	NA*
Legacy Leadership Academy	NA (Closed)	21.6%	8.1%	16.2%	13.5%

⁸ <https://reportcard.tnk12.gov/districts/792/page/DistrictAchievement>.

⁹ <http://www.scsk12.org/schools/?LP=schools#/profile/16/17>.

¹⁰ Grandville T Woods Academy of Innovation has been designated as a Tennessee Priority School the last two years.

¹¹ *Ibid*.

Memphis Academy of Health Sciences Middle	3.04	7.6%	8.7%	43%	7.9%
Memphis RISE Academy	4.48	22.7%	39%	75.5%	39.6%
Raleigh Egypt Middle/High	2.72	9.3%	NA*	27.1%	11.5%

**Data unavailable due to rate > 95% or <5%.*

T.C.A. § 49-13-108 outlines the parameters for charter approval or denial.

Specifically, approval or denial of public charter school application by public charter school authorizers states that local boards of education may deny authorization due “a substantial negative fiscal impact on the LEA such that authorization of the public charter school would be contrary to the best interest of the students, LEA, or community” or if “if the proposed public charter school plans to staff positions for teachers, administrators, ancillary support personnel, or other employees by utilizing, or otherwise relying on, nonimmigrant foreign worker H1B or J1 visa programs in excess of three and one half percent (3.5%) of the total number of positions at any single public charter school location for any school year.”

Neither of these reasons are cited in Shelby County Schools’ rationale for denial of Beacon College Preparatory Charter School. The proposed charter school does not create a “substantial negative impact” on Shelby County Schools as the LEA and does not intend “to staff positions” as outlined above.

The statute provides that “[a] denial by the local board of education of an application to establish a public charter school may be appealed by the sponsor, within ten (10) days of the final decision to deny, to the state board of education.”

Beacon College Preparatory is submitting this timely notice of appeal under any and/or all applicable portions of the statute as it pertains to appealing Shelby County Schools’ decision to deny Beacon College Preparatory Charter School’s charter application.

Respectfully submitted,



September 23, 2019

Joseph Bolduc – Lead Founder

On behalf of Beacon College Preparatory Charter School